

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

KENNETH R. REID,

Petitioner

v.

DAVID J. EBBERT,

Respondent

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Civ. No. 1:15-cv-1355

Judge Sylvia H. Rambo

MEMORANDUM

Before the court is Kenneth Reid's motion to re-open or amend his motion filed pursuant to 28 U.S.C. § 2241(c)(3). (Doc. 31.) The motion will be deemed to be a motion for reconsideration of the court's memorandum and order of January 25, 2016. (Docs. 28 & 29.)

The procedural background is, briefly, as follows: On July 3, 2015, Reid filed a motion pursuant to 28 U.S.C. § 2241. (Doc. 1.) The motion was assigned to Magistrate Judge Saporito for initial review. On November 24, 2015, the magistrate judge filed a report and recommendation (Doc. 21) in which he recommended that the motion be dismissed but that Reid be given the opportunity to file an amended motion pursuant to 28 U.S.C. § 2255.

By memorandum and order of January 5, 2016 (Docs. 25 & 26), this court adopted in part and denied in part the recommendation. This court dismissed the petition with prejudice, denying Reid the opportunity to file an amended petition.

On January 19, 2016, Reid filed a motion for reconsideration (Doc. 27) of this court's January 5, 2016 memorandum and order. On January 25, 2016, this court addressed Reid's argument and set forth in detail the factual background and the reason for dismissing the motion for reconsideration.¹ (Doc. 28.)

The instant motion for reconsideration is a continuing argument that Reid has persistently raised and has been thoroughly addressed.

The motion for reconsideration will be denied.

s/Sylvia H. Rambo

United States District Judge

Dated: February 17, 2016

¹ The court notes an error in the memorandum (Doc. 28) on the last line of page three (3) – “dismissed the petition without prejudice.” The motion was dismissed with prejudice.